

**POST GRADUATE DIPLOMA IN
INTELLECTUAL PROPERTY RIGHTS (PGDIPR)
Term-End Examination
December, 2011**

**MIP-003 : INDUSTRIAL PROPERTY :
TRADEMARKS, GEOGRAPHICAL INDICATIONS,
TRADE SECRETS, UNFAIR COMPETITION**

Time : 2 hours

Maximum Marks : 50

*Note : All questions are compulsory. However internal choices
are given in each questions.*

1. State whether the following statements are True or False, answer any *five* parts : 1x5=5
- (a) The role and importance of trade marks has reduced after industrialization.
 - (b) A trademark once registered cannot be removed from the register, even if it has been transformed into a generic name.
 - (c) The Madrid agreement and the Madrid protocol constitute the 'Madrid System'.
 - (d) If the owner of a trademark fails to renew his trademark (after the expiry of the registration period) and fails to pay the renewal fee it leads to the removal of the trademark from the register.

- (e) Registration of geographical indication provide it legal protection in the country of registration.
- (f) The acts of unfair competition can be dealt only with curl laws.

2. Fill in the blanks.

1x5=5

- (a) The Paris convention touches on the issue of the marks in Article _____.
- (b) The Trademark Law Treaty (TLT) was adopted on _____.
- (c) The TLT applies in relation to _____ and _____.
- (d) A _____ is not registrable.

3. Attempt *any two* parts :

5x2=10

- (a) A trademark, in order to function must be distinctive. Discuss the requirement of distinctiveness of the trademark.
- (b) Discuss the signs which may serve as trademarks.
- (c) Why trade secrets are required to be protected ?

4. Answer *any two* parts : 5x2=10

- (a) Explain the meaning and importance of Franchising.
- (b) Discuss the circumstances when a trademark may be removed from a register.
- (c) Discuss the law laid down for the protection of well known trademark in paris convention.

5. Answer *any two* parts : 10x2=20

- (a) Discuss the measures required to be taken by a person to keep his information confidential.
 - (b) Discuss the salient features of TLT.
 - (c) Discuss the provisions laid down in trips agreement for the protection of Geographical indications.
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